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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,643	12/22/2004	Hidekazu Torii	1669-01100	9422

23505 7590 09/15/2005

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EXAMINER

MORROW, JASON S

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/519,643

Applicant(s)

TORII, HIDEKAZU

Examiner

Jason S. Morrow

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/22/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 7-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 7-11 depend on cancelled claims. The claims have been treated below on the merits as if they were dependent on claim 6.

Drawings

3. Figure 9 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 3612

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 6-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent 09142143 (hereafter Enoki).

Re claim 6, Enoki discloses a sun visor for vehicles having a sun visor body mounted on a periphery of a spindle via a bearing member (see figure 5), the sun visor comprising the bearing member including, a bearing (3a) for rotatably holding the spindle (4), and a baffle (32) for holding the sun visor body at a desired rotation position with respect to the spindle, a receiving part provided within the sun visor body (22a), a retaining part (35) provided with one of the bearing member and the receiving part, an engaging cavity (22c) corresponding to the retaining part provided with the other of the bearing member and the receiving part, whereby the bearing member is rotatably attached to the spindle, whereby the bearing member and spindle assembly is received in the receiving part, whereby the retaining part resiliently engages with the corresponding engaging cavity (the retaining part creates the engaging cavity in an elastic manner) and inhibits the inadvertent removal of the bearing member from the receiving part, and whereby the retaining part is disengaged from the engaging cavity upon the application of at least a predetermined extraction force acting on the spindle relative to the sun visor body, allowing the removal of at least the bearing member and spindle assembly from the receiving part of the sun visor body.

Re claim 7, the bearing member is made of a metal material (the cross hatching on the end of 3a indicates the use of metal).

Re claim 8, the bearing and the baffle are integrally formed together (see figure 5)

Re claim 9, the bearing member further comprises a friction adding part (32), whereby the friction adding part elastically contacts the periphery of the spindle and adds frictional resistance opposing at least a part of the rotation of the sun visor body about the spindle.

Re claim 10, the friction adding part is made of a metal material.

Re claim 11, the friction adding part is integrally formed with the bearing member (see figure 5).

Re claim 12, the retaining part is made from a metal material.

Re claim 13, the retaining part is integrally formed with the bearing member.

Re claim 14, the bearing, bearing member, and retaining part, are all formed from a single piece of the metal material (see figure 5).

Re claim 15, the sun visor body is molded using a thermoplastic synthetic resin (see the Abstract of the reference).

Re claim 16, Enoki discloses a sun visor for vehicles having a sun visor body mounted on a periphery of a spindle via a bearing member, the sun visor comprising the bearing member (3a) including a bearing (31a) for rotatably holding the spindle, and a baffle (32) for holding the sun visor body at a desired rotation position with respect to the spindle, a retaining part (35), and a friction adding part (32), a receiving part provided within the sun visor body (22a), an engaging cavity (22c) corresponding to the retaining part and provided with the receiving part, whereby the bearing member is rotatably attached to the spindle, whereby the bearing member and spindle assembly is received in the receiving part, whereby the bearing, the baffle, the retaining part, and the friction adding part, are all integrally formed together from a single piece of metal material, whereby the friction adding part elastically contacts the periphery of the spindle and adds

Art Unit: 3612

frictional resistance opposing at least a part of the rotation of the sun visor body about the spindle, whereby the retaining part resiliently engages with the corresponding engaging cavity and inhibits the inadvertent removal of the bearing member from the receiving part, and whereby the retaining part is disengaged from the engaging cavity upon the application of at least a predetermined extraction force acting on the spindle relative to the sun visor body, allowing the removal of at least the bearing member and spindle assembly from the receiving part of the sun visor body.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gute discloses a sun visor mount.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason S. Morrow whose telephone number is (571) 272-6663. The examiner can normally be reached on Monday-Friday, 8:00a.m.-4:30p.m..

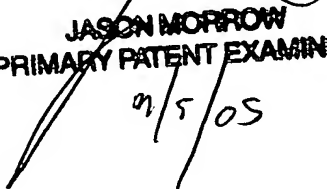
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (571) 272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason S. Morrow
Primary Examiner
Art Unit 3612

September 5, 2005


JASON MORROW
PRIMARY PATENT EXAMINER
9/5/05